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PEOPLE'S PRESS.

SALEM N C

THURSDAY, OCTOBER 1, 1863.

☞ From and after this date, the subscription price of the Press will be $4 per annum; $2 for six months; and $1 50 for three months.

This notice includes subscribers who are in arrears for the current year.

HALF SHEET.—No one can regret more than we do the necessity of issuing only half sheet of the Press until we can procure more paper. Our supply is so limited that, if we continued the full size of the paper two weeks longer, we would be compelled to suspend altogether, till a rise in the stream which propels the paper mill, which at this time very low.

We must bear with one another during these hard times.

LOSS BY FIRE.—Mrs. Jeremy Snider, (whose husband is in the army,) met with a serious loss by fire, on Sunday last, whilst absent from home. Her dwelling house, 50 bushels of wheat, 32 bushels of corn, 10 bushels of oats, all her bacon and lard, all the household and kitchen furniture, clothing for herself and children, in short her all—was entirely consumed. Origin of the fire unknown.

A handsome amount was contributed in this place, next day, to relieve her wants.

THE GREAT BATTLE IN GEORGIA.—In another column we give some details of the recent engagement near Chattanooga. The number of Yankee prisoners taken is between 8000 and 9000, among them a great many officers, a few Colonels, but mostly Captains and Lieutenants,—no general officers. The prisoners are passing Rich Point daily, on their way to Richmond, and will be exchanged as soon as possible.

Gen. Hood, from Texas, whose leg was amputated, and reported dead, is said to be improving.

At latest advices, Rosencrans' army still occupied Chattanooga, and another fight was expected, as it appears to be evident there must be another struggle before Rosencrans is driven across the Tennessee river. The Confederate lines are within four miles of Chattanooga.

The Yankee prisoners are said to have an abundance of counterfeit money.

☞ The Fayetteville Observer complains that we did not treat that paper fairly in attributing to it the saying that "negotiations cannot possibly lead to any result, good or bad." In justice to the Observer, we copy the passage in which the remark alluded to occurred:

"Lincoln has correctly stated the only three ways of peace. And he has properly said that no compromise embracing the maintenance of the Union is now possible. This meets the identical scheme presented by the so called 'peace men' in this State. He tells them plainly that they have no power whatever to enforce their side of the compromise, if one were made with them. Does not every sensible man know that this is true? Why, therefore affect to be in favor of negotiations which can not possibly lead to any result, good or bad?"

The above is from the Observer of the 10th, and in said paper of Oct. 24, in allusion to this matter, the Observer wishes it to be understood that it is not opposed to negotiations for peace, "provided Lincoln can be induced to negotiate." We have not room this week for the whole of our cotemporary's article upon this subject, but if we understand the Observer correctly, it is only opposed to a pretence of negotiations by parties who have no right to negotiate, &c. Nobody claims the right of the people directly to negotiate, but they have the right to meet and consult together for the good of the country, and express their sentiments, which should not be disregarded by our rulers.

The object of the peace meetings recently held in this State, (to which the Observer is opposed) was simply to arrive at the sentiments of the people, and nobody pretends that the people could *directly* treat with a government. President Lincoln himself has said that the proposition for peace or attempt at negotiation had come to his knowledge. And as the Observer quotes Lincoln as saying that no compromise embracing the maintenance of the Union is now possible, why not as least endeavor to stop this bloody war in some other way? If President Lincoln should decline to negotiate on compromise upon any fair and honorable terms, that would settle the matter and at once put an end to the peace movements among the people of North Carolina. But little, if any, progress has been made thus far to accomplish peace, and we think it is high time that while our brave soldiers are encountering the enemy on the field, at least attempts at negotiation should be instituted at the same time, as has been the case in all previous wars.

MARTIAL CODE.—In this issue will be found the interesting decision of Chief Justice Pearson, declaring that the Home Guard cannot be employed by the Governor for the arrest of deserters and recusant conscripts.

THE BATTLE IN GEORGIA.

INTERESTING DESCRIPTION OF THE BATTLE.—CONGRATULATORY ORDER OF GEN. BRAGG, ETC.

CAMP NEAR BATTLE FIELD OF CHICKAMAUGA, Tuesday, Sept. 22, '63.

The preliminary fight commenced, it may be said, on Friday, the 18th inst, at Alexander's bridge, 8 miles west of Ringgold. Walthall's brigade was principally engaged, and suffered most, one regiment losing 73 killed and wounded. Gen. Bushrod Johnson's brigade moved up at the time from Ringgold, crossing the Chickamauga above at Reed's bridge, the enemy falling back before us, and marshalling their forces in line of battle. Their advance on Georgia soil had been so successful and easy, that they seemed surprised at the idea of being checked, contemplating a triumphant entrance into Atlanta.

On Saturday the 19th, the two contending armies confronted each other in battle array. Our line extended from Reed's bridge to Lee and Gordon's Mills, a distance of between seven and ten miles over a rugged, barren country of hill and dale. Between 8 and 9 o'clock a. m., the battle opened on our right. In the course of an hour the firing became heavy and rapid, the batteries of Forrest's and Walker's divisions, and the reserve, Capt. Lumsden's battery, in command of Maj. Palmer, Chief of Artillery, keeping up a perfect roar of fire, which was fully returned by the enemy. The lines of both armies moved to and fro like the advancing and receding waves of the sea. Cheatham's division soon became under fire, with its artillery, under command of Major Melanthon Smith. The fight was kept up with varied success, when the gallant division of Gen. Cleburne charged the enemy after dark, by moonlight, and drove them two miles from their first line of battle, and in front of Alexander's bridge. It was here the brave Gen. Preston Smith fell. After this victorious and most brilliant achievement, our army rested on their arms for the night. During the fight, Capt. Carnes' battery was captured, all the horses being killed, and all the artillerists being either killed or wounded. This battery was afterwards retaken by Gen. Smith's brigade, and also one or two other pieces which had been abandoned, the horses being killed. That day we took the enemy's celebrated Loomis' battery of six guns, and four other pieces and 1,200 prisoners.

That night the Yankees were hard at work digging entrenchments, and threw up three lines of works towards the Missionary Ridge.

On Sunday morning, the 20th, our troops were in fine spirits and eager to grapple again with the foe. Gen. Polk, who commanded the right, had a hot day's work before him, but he felt confident of success. The battle field was on an undulating or rolling open woods, so much so, that artillery had room and range enough for full play. The attack was commenced by our forces shortly after 9 o'clock, a. m. Our line of battle was four miles west of Chickamauga, and half a mile east of the main road leading from Lafayette to Chattanooga. We pressed the enemy sorely from the start, who, though strongly contesting the ground inch by inch, gradually fell back before our brave. Charge after charge was made on the enemy, and one vociferating yell prevailed our ranks, we turning their left on their centre, and driving back his right at the same time. In the afternoon the enemy attempted to throw reinforcements from the left to the right across an open field and the Chattanooga road. Maj. Williams' battery was concentrated on this road, and cut to pieces, the whole forest being completely mowed down with grape, canister, shrapnel, and shell; it was at this time we took several thousand prisoners. It was after dark that Gen. Polk carried the last line of the enemy's entrenchments, when a thrilling yell of triumph rang out on the air, which told of our glorious victory.

The enemy was completely routed, and in full retreat. Gen. Breckinridge's division, and General Preston's of Buckner's corps, also bore a gallant part in the charging of the enemy's entrenchments, who were driven three miles, back to Missionary Ridge, and from which the enemy were driven to within five miles of Chattanooga. Gen. Bragg was on the field with the troops night and day, and is riding down the lines in front of Gen. Breckinridge's division, on the night of victory, he was most enthusiastically cheered by Breckinridge and his brave Kentucky, Louisiana, Alabama and Florida troops.

We have captured over 40 stand of colors, 45 pieces of artillery, and taken over 6,000 prisoners. Our loss is estimated from eight to ten thousand, killed and wounded; the enemy's cannot be less than from twenty to twenty-five thousand.

The battle field extended about ten miles, and the carnage was the most frightful yet witnessed, far exceeding Chancellorsville, Gettysburg, Murfreesboro or Shiloh. The constant and terrific roar of artillery never was exceeded. The fighting of our men on Sunday evening in carrying the enemy's entrenchments was magnificent, grand and terrible. They faced the whirlwind of lead and iron with the steadiness and composure of a summer's rain. Then came charge after charge, the frightful gaps in our lines being immediately closed up, and with the yell of demons, our battle cry arose above the roar and crash of musketry and artillery, while the terror stricken foe fell back sullen as our braves mounted and carried their entrenchments, line after line, over the dead carcasses of the Abolition foe, who fell in heaps in the pits they had but dug for themselves.

The battle field that night by moonlight —the glittering beams shining on the ghastly faces of the dead, distorted in expression from the wounds of their torn and mangled bodies, with heaps of the wounded and dying, with scattered arms strewn everywhere, broken artillery carriages and caisons, and all that makes up the debris of a bloody contested field—was terrible and appalling.

Gen. Polk fought his corps with great skill and ability, and with all the coolness that bravery can command. The noble divisions of the heroic Breckinridge and chivalrous Cheatham carried the last entrenchments and they slept upon the field with the wreath of victory crowning their brows. McNair's brigade attached to Bushrod Johnson's division, was to the left of D. H. Hill's corps, and charged the entrenchments Sunday with its famed and distinguished gallantry, taking 14 pieces of artillery. Gen. McNair was wounded, and the noble Col. R. W. Harper, commanding a brigade was killed. Col. Harper was a Marylander, but a citizen of Arkansas, and had previously distinguished himself at Oak Hills, Elk Horn and Murfreesboro'. Gen. Buckner and Hill's corps also won imperishable renown. Capt. Jas. Stone, of Buckner's escort, (who took Gen. Willich prisoner at Murfreesboro,) also added to his laurels.

On Monday, 21st, Gen. Forrest pursued the enemy, capturing a squadron of Gen. Stanley's Yankee cavalry, and general skirmishing taking place, the enemy retreating on Chattanooga. Gen. Wheeler had also captured a large train of wagons, burning a large portion, and securing over 1,000 prisoners. To-night (Tuesday) as I close this letter, which I send by private express, a courier just in reports that the enemy are burning their stores at Chattanooga and crossing the river.

But for the want of rations, Gen. Bragg would have followed up his victory the next day, but our troops were unable to move until our supplies came up. In this great battle Gen. Bragg has displayed military sagacity far overreaching Rosencrans, and by his masterly manœuvre, has handled his army with a skill and judgement that only could have secured to us such a glorious victory.

I close this letter by appending his congratulatory address to his troops, which will be read with a thrilling glow of interest, and over which every true heart will, with gratitude to God, devoutly rejoice.

HEADQUARTERS ARMY OF TENN.,
Field of Chickamauga,
Sept 22 1863.

It has pleased Almighty God to reward the valor and endurance of our troops, by giving to our arms a complete victory over the enemy's superior numbers.

Homage is due, and is rendered unto Him who giveth not the battle to the strong.

Soldiers! after two days of severe battle preceded by heavy and important outpost affairs, you have stormed the barricades and breast works of the enemy, and driven before you in confusion and disorder an army largely superior in numbers, and whose constant theme was your demoralization, and whose constant boast was your defeat. Your patient endurance under privations, your fortitude and your valor, displayed at all times and under all trials have been mostly rewarded.

Your commander acknowledges his obligations, and promises to you, in advance the country's gratitude.

But our task is not ended. We must drop a soldier's tear upon the graves of the noble men who have fallen by our sides, and move forward.

Much has been accomplished. More remains to be done before we can enjoy the blessings of peace and freedom.

BRAXTON BRAGG.

The following official dispatch was received at the War Department Thursday night:

NEAR CHATTANOOGA, September 24, 1863.—The report from Gen. Hood last night was favorable. Our prisoners will reach seven thousand of whom two thousand are wounded. We have twenty-five stands of colours and guidons, thirty-three pieces of artillery, and have already collected over fifteen thousand small arms, over and above those left on the field. Our killed and wounded are more, are being found. Signed BRAXTON BRAGG.

Officers state that Rosencrans had sent two flags of truce asking permission to bury their dead and relieve their wounded, but General Bragg rejected both propositions, replying that he had enough Yankee prisoners to bury their dead, and Yankee surgeons to attend the wounded.

Memphis dates of the 21st September claim to have captured 3,000 prisoners and 14 pieces of artillery at Cumberland Gap.

Northern news represent the Insurance Companies as refusing to insure property on the Mississippi river.

THE NEWS.

FROM EAST TENNESSEE.

LABANON, Sept. 25.—An engagement took place on Tuesday at Mountsville, between a detachment of our forces and the enemy. We fell back. Our loss as far as heard from was one killed, eight wounded, and fifteen prisoners. We also had one gun dismounted, and one wagon, four mules, and six horses captured.

Seven prisoners, wounded and paroled, arrived here to-day. They report the enemy's loss at 26 killed, and one hundred and fifty wounded.

The greater part of Blountsville has been burnt by the enemy.

Nearly all our casualties and prisoners are of Davidson's Lynchburg battery.

The cars went through to Bristol last night.

In Virginia and Eastern North Carolina and Charleston the situation has not essentially changed during the past week. The Yankees are still busy fortifying Morris Island.

Rosencrans is said to be fortifying Chattanooga and awaiting reinforcements.

Seven deserters from Lane's N. C. brigade, were shot at Orange Court House on the 26th.

Brig. Gen. Kirkland has been assigned to the command of Pettigrew's Brigade, and Brig. Gen. Robt. D. Johnston to the command of Iverson's Brigade.

We learn that Edmund McGehee, Esq., about 80 years of age, residing near Baton Rouge, La., has been stripped of his immense property by the Yankees. He owned 3,200 negroes and 27 cotton and sugar plantations, including a cotton factory, which was worked by 300 of his own hands. A railroad 31 miles long, leading to his factory, had been constructed by himself with a sufficient rolling stock. All the negroes, except about 100, have been taken off by the Federals, his factory ruined, all his plantations desolated, and his railroad torn up. About 5000 bags of cotton were burnt by the orders of Mr. McGehee to prevent its falling into the hands of the enemy. His loss in negroes and cotton alone is not less than $5,000,000.

Couldn't Hold Court.—Judge Shipp, Solicitor Merrimon, and other legal gentleman who started to attend the Superior Court for Cherokee county last week, returned, reporting it impracticable to make the attempt in the present condition of that county. Many of the Southern men are leaving the county.—*Asheville News.*

THE PIEDMONT RAILROAD.—We learn from the Danville Appeal that the prospects of this road are decidedly improving. Already the track is laid fifteen miles out from the town, and the material trains are passing over it every day. We are informed, says the Appeal, that passenger trains will run to Reidsville, about twenty-five miles, by the last of October. While the work is going on so bravely, at this end of the line, the workmen near the other end are not idle, and we are told that the track-laying is rapidly going on there, with a prospect of having the whole road complete at an early day.

DESTRUCTIVE FIRE IN HILLSBORO'.—We regret to learn that a destructive fire occurred in Hillsboro' on Saturday night last. A friend informs us that it broke out in the old Turner Tavern and extended to the drug store, destroying some fourteen buildings. The loss may be considerable. We regret to learn that a couple of the Newbern refugees were among the sufferers.—*Raleigh Progress.*

For the Press.

In the Matter of Austin.

The writ in this case was returned before me at Richlands Hill, as I presented a new question, I desired to have the aid of Judge Battle and Judge Manly, at the hearing, and also the benefit of argument by counsel, for which purpose it was adjourned to this place. I regret that I have been disappointed, and it becomes my duty to decide the case without the presence of my other Judges, and without argument, except by Messrs. Fuchaux & Busbee in behalf of the petitioner, so that I am only apprised of the ground on which the Governor rests his claim of authority.

The petitioner [illegible] by reason of a substitute, and is exempt from duty as a militia man. Now, at the last session of the act of the last session of the Legislature, entitled an act in relation to the militia and guard for home defence.

Major Harbin sets out in his return to the writ, that he had the petitioner arrested under an order of the Adj't. General, for the purpose of arresting Conscripts and deserters, as said Austin was a member of the Home Guard and liable as such to perform said duty."

The order is in these words:

RALEIGH, Sept. 15th, 1863.

Major A. A. Harbin will immediately call out the Home Guard of Davie County, and arrest every deserter or recusant Conscript with said County, and Colonel Malett, at Camp Holmes, at Camp Holmes. If it be necessary, you can pursue said deserters beyond the limits of your County. These citizens who will not enter into bond to appear at the next term of the Superior Court, to answer said charges. You will report to this office the manner in which this order has been executed.

By order of Governor Vance.

J. R. Scott, A. A. Gen'l.

The question presented by the petition and return, is of great importance. On the one hand, if the Governor is authorized to require the Home Guard to perform the service of arresting deserters and conscripts, it will promote the efficiency of the Confederate army on the other, it will [illegible] the acts of Congress and of the Legislature are exempted from conscription and militia duty, a dangerous and irksome labor.

The subject must be considered by a Judge "as a dry question of law," unaffected by collateral considerations, growing out of the condition of our country, for this reason, his conclusion may differ from that of those who are at liberty to look at it under the bias of feeling. It is a part of the duty of a soldier of the Confederate army, to arrest deserters and recusant conscripts. The Governor of a State has certainly no authority to require a citizen unconnected with any military organization, to perform this part of the duty of a Confederate soldier. Whether the Governor had authority to require a citizen belonging to the militia, to perform this duty, is a question which has not been decided. It may be conceded that the Legislature has power to give this authority to the Governor, in respect to the militia, on the ground that they are liable to be called into the service of the Confederate States, and might be required to do a part of the duty, as a competent force not being called into service, and required to do the whole duty of a Confederate soldier. But it is a question worthy of grave consideration whether the Legislature has power to authorize the Governor to require this duty of citizens who do not belong to the militia, which is the only military organization, except unlisted soldiers, recognized by the Constitution. It is not necessary for the purpose of this case to decide the question and it is referred to only for the sake of applying the rule: "When a power has never been before exercised and is doubtful, the courts will not presume that it was the intention of the Legislature to assume it, but will require a clear expression of an intention to do so."

The matter then stands thus: The Governor has no authority to require a citizen who does not belong to the militia, to perform this part of the duty of a Confederate soldier. Has the Legislature conferred the authority upon him? It is insisted that this is done by the act of the last session, entitled "an act in relation to the militia and for home defense," which act and the act "to punish aiders and abettors of deserters," were ratified at the same time, 7th July 1863, and are to be construed together, so the question depends upon the meaning and proper construction of the two statutes. At the meeting of the Legislature two questions were pending: 1st. Congress in its wisdom having allowed substitution, and many other exemptions from the conscription acts, was it in the power of the President, by calling upon the State for its quota of militia, to subject the persons so exempted as conscripts, to military duty as militia? 2nd. Had the Governor authority to require the militia to arrest conscripts and deserters from the Confederate army? By the 1st section of the act in relation to the militia and guard for home defence, the first problem was solved, and it is enacted that all persons exempted as conscripts shall be likewise exempted from service as militia. By the 3d section of the act to punish aiders and abettors of deserters, it is enacted that the Governor may require the militia to arrest deserters and conscripts; thus solving the second problem by authorizing the Governor to call out the remnant of the militia, that is those not exempted from militia duty, to perform a part of the duty of Confederate soldiers, to wit: the officers of the militia and the men between 40 and 45, who had not thus been called for as conscripts. In order, however, to provide for home defence the Legislature assumed the power of making a State conscription [illegible] Whether the legislature had the power to do so, is a question into which it is not necessary to enter. The power is expressly assumed, and it does not become a coordinate branch of the State government to decide upon it, unless it be necessary to do so in order to dispose of a case before it. So it may be granted that the Legislature had power to organize for home defence a military body composed of the remnant of the militia, the exempts, and persons over the age liable to militia duty. It is very certain that in doing so the intention was to make this new body wholly distinct and different from the militia. Persons exempt from militia duty are included; new companies are formed, new officers appointed in part, everything is different; it is a new organization of State conscription made for two special purposes, "to be called out against invasion, and to suppress insurrections." (Sec 5.) And special care is taken to distinguish this new body from militia, for otherwise they might, under the constitution, be called for by the Confederate States as militia. Upon what ground then can it be insisted that the Governor is authorized to require this newly organized body and peculiar State institutions, to perform a part of the duty of Confederate soldiers? It is said, the duty follows as a consequence of the military organization. I cannot see the force of the argument. The act discloses the special purposes for which this new organization is made, no authority is expressly given to the Governor, to require them to arrest deserters, &c., the power of the Legislature to confer it, even if such had been the intention, is by no means clear, and so we are not at liberty to *implications*, to infer that such was the intention, and the act "to punish aiders and abettors of deserters," puts the matter, as it seems to me, out of the range of discussion by expressly authorizing the Governor to use the militia to arrest deserters and conscripts, thereby excluding, as plainly as words could do it, any authority to require such service of this new organization, the State conscripts, or home guard. "*Expressio unius exclusio alterius*" is a well

THE CAPTURE OF GENERAL JEFF. THOMPSON

[illegible] Wednesday [illegible] was [illegible] prison, where he is a prisoner [illegible] was accompanied by Capt. A. G., who was captured [illegible] place as Jeff. Thompson was [illegible] at the prison, and [illegible] the capture and other incidents of [illegible]:

The General said he made an arrangement with some members of his staff to meet him at [illegible] and intending to come to Missouri [illegible] a recruiting tour, the General going by way [illegible] established rule of obstruction which the courts are not at liberty to disregard, made its sound [illegible] sense, when the object is to ascertain the intention of the Legislature and neither to fill objects of it, or go beyond it, is fully illustrated by this case. So the two statutes will on the [illegible] to the authority on the Governor, it comes by [illegible] exclude it by a double implication. In the first place, the act authorizes the Governor "to call out the home guard against invasion and to suppress insurrection." Why was it not added "and to arrest deserters and recusant conscripts," if such was the intention? What [illegible] [illegible] [illegible] the Legislature, [illegible] the attempt place) the Act authorizes the Governor, in so many words, "[illegible]

Why did it not add, and "also the home guard," if such was their intention? The conclusion that it was not the intention of the Legislature that the home guard should be subjected to this service is as clear as if the acts had contained the words: "Provided, however, that the Governor shall not have authority to require the home guard to arrest deserters and conscripts," unless it be contended that the Governor has all power, except such as is expressly prohibited, a position which I suppose no man will venture to assume.

The arguments may be stated as follows: The statute expressly authorizes the Governor to call [illegible] militia, that is, the officers and men between 40 and 45 who form a part of the home guard, to arrest deserters, &c. It follows that the Governor had authority to require the whole body of the home guard to perform this duty, for if he had such authority, it was vain, idle and superfluous to authorize him expressly to require part to do that which he had authority to require of the whole. In this connection the provision, Section 7, "That commissions of the officers of the militia shall be suspended only during the period of their service in the home guard," has an important bearing, the object being to preserve the organization of the militia, and to enable it to [illegible] arrest deserters, for it is manifest that from now then suffer [illegible] The last clause, "and to suppress insurrection," [illegible] the call for the men between 40 and 45, as deserters, made [illegible] to change the meaning, purpose and construction of the statute. If an amendment were necessary for, neither the Governor or any Judge, [illegible] authority to strain the law to meet the emergency. I am aware of the responsibility under which I act. Jurisdiction is given to a single Judge in vacation. My decision stays the execution of the Executive until it is reviewed by the Supreme Court, or the law is amended by the Legislature, and I would not feel it to be my duty to stay the action of the Executive except upon the clearest conviction. Whether in the event that the Governor should call out the home guard to repel a raid or to suppress an insurrection, he would not, while the men were in this line of service, which is limited to three months, Sec. 6, have authority to call them to require them to take up deserters and conscripts who might at the enemy, is a question not now presented, nor am I confined to the naked question, has the Governor authority to require the home guard to be called out for the mere purpose of arresting deserters and conscripts. The special order under which Major Harbin acted is for this purpose alone. It is true, the State was before the passage of this Act, invaded and the enemy was at the time and is now within the limits of our State, but the order does not profess to be made for the purpose of repelling that invasion. That is the tour of duty prescribed by the Governor not exceeding three months, at any one time," according to the provisions of the 6th Section. The time is unlimited, and the purpose is declared to be "to arrest every deserter and recusant conscript within the county of Davie and deliver them to Col. Malett at Camp Holmes."

The suggestion that, as the arrest of deserters and conscripts would promote the efficiency of the Confederate army and thereby tend to defend the State against invasion, the authority of the Governor can be sustained on that ground, is [illegible] legislation [illegible] supported by any principle of law. And [illegible] it seems to me, cannot [illegible] press with much force upon the mind of any one, who will read the two statutes attentively and in connection; he will see from the mode of defence contemplated by the legislature in calling out the home guards for defence against invasion and insurrections, by regiments, battalions and companies on tour of duty within the state not to exceed three months, that the speedy and [illegible] mode of repelling the existing invasion by arresting deserters and conscripts, was not in the mind of the Legislature, even when the Governor was authorized to use the *militia* for that purpose, which, according to the view I have taken above, excluded the conclusion that the guard for home defence, the State conscripts, were to be used for that purpose also, for, if so, it was surely vain, idle and superfluous to impose that service on the militia, who constituted but a small part of the guard for home defence. The position was taken on the argument, that the order under consideration clearly exceeds the Governor's authority in this. It required the guard for home defence to arrest and bind over to court to answer said charges, "those citizens who aid, harbor and maintain deserters," and is therefore void *in toto*. It is true citizens who aid deserters &c., [illegible] though made liable to indictment by one of the statutes referred to, *cannot*, according to the Constitution and laws of the land, be arrested and bound over to court to answer the charge, by military authority. That can only be done by the civil authority, to wit: a warrant by a judge or justice of the peace, or probable cause shown on oath, executed by the *sheriff* or *constable*. So it is clear that part of the order is void and against law; but it does not vitiate the other part of the order, provided the Governor had authority to make it.

It is therefore considered by me, that Richard M. Austin be forthwith discharged, with [illegible] [illegible] [illegible] the clerk of the Superior Court of [illegible] and [illegible] by a Justice of the Peace, [illegible] him. The clerk will file the papers in this office and proceeding among the papers in this office and [illegible]

The Clinton Gazette says the house in which Gen. Morgan was confined in the penitentiary at Columbus, Ohio, is a large [illegible] story, [illegible] old chain [illegible] [illegible] [illegible]

THE CAPTURE OF GENERAL JEFF. THOMPSON.

Brig. Gen. M. Jeff. Thompson arrived in St. Louis Wednesday night, on the Iron mounted railroad, and was escorted to the military prison, where he is a prisoner of war. He was accompanied by Capt. Reuben Ray, his A. A. G., who was captured at the same time and place as Jeff. The reporter of the St. Louis Republican was permitted to visit Gen. Jeff. at the prison, and learned some particulars of his capture and other incidents not uninteresting:

The General said he made an arrangement with some members of his staff to meet him at Pocahontas, the whole party being then at Little Rock, and intending to come to Missouri on a recruiting tour, the General going by way of Jonesboro', Ark., to see his wife, who was there. He made the best of his way to Pocahontas, and put up at the St. Charles Hotel. Soon after his arrival Capt. Kay came and stopped at the same hotel. For two days Thompson was engaged in writing letters, while Captain K. employed himself drawing and examining maps. Monday evening found them still at work, they thinking themselves perfectly safe from war's alarms, Gen. Davidson's army, as they were informed, having left that part of the country.

About dark, however, the two heard a noisy trampling of horses outside, creating more than ordinary confusion. Capt. Kay whispered 'what is that?'—"Oh!" replied Jeff., it's some of our boys, perhaps, who have heard that we are here." Thompson was sitting near a window facing the street. A horseman rode up, and poking his insinuating face inside the window, said, "Where is Gen. Thompson?" "I am Gen. Thompson, sir," replied Jeff. "Then you are my prisoner, sir. Why, how are you, Jeff?" "Hello! Gentry, is that you?" replied T., nothing disconcerted, although he recognised Capt. Gentry, of the 2d Missouri State Militia Cavalry, and commenced tearing up his letters. As Capt. Gentry dismounted Capt. Kay whispered, "By thunder! here's the Feds!" "Don't say a word," replied Jeff., "but take those maps and put them in the kitchen stove as quickly as possible"—all the while tearing up his letters. Jeff. says he could have escaped, but for the infernal letters; for he had his horses on the other side of the river, intending, if danger of capture presented itself, to make his way out of the back door of the hotel, swim the river, and, once over, the devil could not have caught him.

But that huge pile of letters—not less than fifty—implicated parties in the State and elsewhere, which would get them into trouble, and he determined to destroy them. Thus his chances of escape momentarily lessened until Capt. Gentry entered the room, tapped him on the shoulder, shook hands with him, and "claimed him as his own." Capt. G. said he was in command of an expedition consisting of the 1st regular cavalry and his own company, the M. S. M. cavalry; that they were in search of Col. Burbridge, whom they had learned was in that "neck of woods," but, when some seven miles from Pocahontas, a man had told him that J. Thompson was in the town, telling the very house where he could be found. "He had come after a Colonel," said Jeff., "and had caught a General." He didn't go on the principle of the man who went a fishing and threw all the cat-fish he caught back into the river, saying: "When I go a cattin', I go a cattin', but when I go a fishin', I go a fishin'!" He took whatever he caught, and, by Jove, he took me!

Not long after the capture—Jeff having destroyed his letters and Captain Kay his maps, with the exception of a few, which proved of considerable importance, and which are now in possession of the military here—an amusing incident occurred. Lieut. Miller, ordnance officer of Gen. Crandall's command, hearing that Jeff. Thompson was in Pocahontas, went to see him. Unaware of the presence of Federal troops, he rode quite unconsciously into town, by mere chance passing the pickets in the dark, and proceeding quite leisurely to the hotel where General Jeff. was stopping. At the door he was stopped by the guard, who told him he could not get in unless he was an officer. "I am an officer," replied Miller, "and must go in."

He passed in and saluted Jeff., remarking, "Ah! you've got some Feds, I see," observing a number of gentlemen in the room with blue uniforms, and thinking they were Jeff's. prisoners. "Yes, I have," replied Jeff. "and a d—d big lot of them, too!" Just then Capt. Gentry walked up to Miller, and said 'you are my prisoner!" "Aint you joking?" asked Miller, still believing Thompson "was in command." "Aint he joking, General," appealing to Jeff. "Yes," replied the latter, "but its a confounded serious joke." Then the truth flashed on the benighted and confused mind of Miller, that he was in a town surrounded by Federal cavalry, and that, instead of Thompson holding those "blue coats" in the room as his prisoners, he was theirs. The Lieutenant resigned his sword without further parley.

BRILLIANT AFFAIR IN TEXAS—TWO YANKEE GUNBOATS REPULSED AND DESTROYED—FAILURN OF THE EXPEDITION.

The great Texas expedition, so often hinted at in the Yankee papers, has been repulsed, with the loss of two gunboats composing it. The 19th Army corps, under Ben Franklin, left New Orleans on the 4th inst., in transports, accompanied by four gunboats, to capture Sabine City, a point of great strategic value on the line dividing Louisiana from Texas. They arrived off the city on the 8th. A correspondent of the N. Y. Tribune says:

In the course of Monday night the entire fleet gathered in the vicinity of the Sabine. The gunboats and vessels of lightest draught crossed the bar, and preparations were made for the attack. Capt. Crocker, of the Clifton, was to feel the enemy, uncover the batteries, and ascertain his strength and position. Gens. Franklin and Weitzel examined the shore of the Pass to find the most eligible point for landing the forces. The Clifton steamed up the Pass, occasionally throwing a shell from her rifle guns at the only work visible—an earthwork of six large guns. No reply was made. She steamed within easy range of the fort, and received no response. She then returned to her former position without drawing the fire of the enemy.

When the Clifton returned the order of battle was immediately arranged. The gunboats Clifton, Arizona, and Sachem, were to engage the enemy's works, while the Granite City was to cover the landing of a force of 500 men of Gen. Weitzel's division, selected from the Port Hudson heroes, and composed of two companies of the 165th New York, four companies of the 161st New York, and a detachment of the 75th New York regiment, under command of Capt. Fitch, of the latter regiment.

The Clifton opened the engagement with a shell from one of her large pivot guns, which burst inside the enemy's works, raising a cloud of dust and dirt; instantly another shot followed; then the Sachem opened a broad-side from her guns; next the Arizona followed. The firing was excellent; from thirty to forty shells had exploded in the fort of the enemy. Not a shot had been fired in return—not a soldier nor a civilian could be seen—the only evidence that the neighborhood was not deserted, was the movement of a couple of steamers vibrating between the city and the fort.

Presently a heavy shot was fired at the Arizona, passing over her; soon another was directed at the Sachem and at the Clifton, but without effect.

Soon the conflict became general and stormy, the shot and shell from our vessels making terrible havoc in the parapet. Just as the Sachem was passing out of range and victory seemed about to perch on our flag, a shot struck her smokestack, rendering her useless, her flag was lowered, and the enemy concentrated his fire upon the Clifton, whose gallant officers and men fought bravely until a shot passed through her boilers and she was compelled to raise the white flag. The Clifton had, besides her crew, 70 sharpshooters on board. The Sachem had a detachment of 30 sharpshooters. Five soldiers, one sailor, and one signal man, escaped down the beach from the Clifton. The number of killed and wounded is not known.

The Arizona, being unequal to the contest, fell back, and the order was issued to the fleet to withdraw. The expedition returned to New Orleans, Sept. 12, with its designs prostrated at the feet of adverse circumstances.

Another letter thus sums up the disaster:

Just as soon, however, as an attempt was made to land, the rebels poured in shot thick and fast, which they sent through and through our gunboats, and very soon sunk one—the Sachem—and blew up another. All our sharpshooters on one of the boats were captured, and it was only by prompt and rapid movements that the Commanding General, Franklin, managed to get away.

THE CAVALRY FIGHT ON TUESDAY.

From a wounded officer of the 5th N. C. regiment of cavalry, who came down on the Central train last night, we have some further particulars of the fight in Madison county on Tuesday. In the morning our cavalry, consisting of Hampton's, Jones's, and Robertson's old brigades, were stationed on the Rapidan river, near Liberty Mills. They learned that the enemy were approaching in force on the turnpike road leading from Madison Court House to the Mills, and preparations were at once made to meet them. Our forces were drawn up in line of battle and a charge ordered by Gen. Stuart, who commanded in person. Comparatively little resistance was made to this charge, the enemy giving away at the first onset. Our troops pushed them for about a quarter of a mile, when they found themselves in front of a line of sharpshooters, who opened fire upon them. Our front lines were then dismounted, to engage the enemy on foot. A sharp fight ensued, lasting over an hour, in which the loss on both sides was considerable.

In the meantime, a column of the enemy which had advanced on another road running parallel with the turnpike, came in on the rear of our men, and made a charge upon them. In this situation of affairs, our columns were wheeled, and a charge made on the party attacking in the rear, which resulted in dispersing them; and the capture of about one hundred prisoners.

Our troops then fell back to the Rapidan and crossed that stream, and proceeded some miles up the south bank of the river, where a force of the enemy had crossed at an upper ford. Here another engagement ensued, resulting in the enemy being driven back over the river.

On Wednesday our cavalry crossed the Rapidan into Madison county, and drove the enemy across Robertson's river, capturing, it is reported, a number of prisoners and several wagons.

Our loss in killed and severely wounded in the fight of Tuesday is estimated at about one hundred. In addition we had a number slightly wounded and a few captured. Nothing is known of the loss of the enemy.

Richmond Dispatch

A DANGEROUS CHARACTER ARRESTED.

Officer H. H. Hicks, from Charleston, S. C., arrested yesterday morning in this city, a young man by the name of Mathew Norton, who hails from Memphis, Tenn., and who, at the time of his arrest, was in possession of seven thousand dollars counterfeits, in Confederate Treasury notes.—This young counterfeiter is also a spy, having been observed by officer Hicks for several days, inspecting the fortifications about Charleston. He had among his papers a record of his oath of allegiance to the United States Government, and a passport giving him permission to go out of Memphis with a wagon and team.

After his arrest Mathew Norton confessed that he had passed about $3,000 of these counterfeits in the city of Charleston, S. C. We have been shown these dangerous imitations and appended below such a description of them as will insure their recognition. Norton will be taken to Charleston, and will, we have no doubt, speedily meet with the punishment due to his crimes.

$100, 2 Cents per Day.—This counterfeit is of the same issue of J. T. Patterson, Columbia, S. C., dated July 4, 1862. In the genuine but one of the masts of the ship run up to the telegraph wire; in the counterfeit both masts run up the wire; in the genuine the woman's hand is flat on the pail she is carrying; in the counterfeit she holds a knob or handle of the pail; in the genuine the signature of J. F. Grayson, is in a round hand, in the counterfeit the same signature is in a running hand; in the genuine the numbers rest on a line made for the purpose, in the counterfeit there is no line for the numbers to rest on.

Yellow Ground—2 cents per day $100.—The date of this counterfeit is September 1st, 1862, and is nearly one eighth inch narrower than the genuine. The engraving of the genuine was done on stone, that of the counterfeit on wood. The face of Mr. Calhoun is badly executed, especially about the eyes, they having the appearance of a very heavy frown. The cotton the negroes are working on, is darker in the counterfeit than it is in the genuine. The medallion in the upper left hand corner, in the counterfeit, is open and light, in the genuine the same is dark—as dark as that which contains the likeness of Mr. Calhoun.

In the counterfeit the "one hundred dollars" are printed so close together as to appear almost like one word. The word "with" in the phrase "with interest" is badly done.

$10 Bills.—The third and remaining class of counterfeits of this issue the two XX's are printed in solid red, in the genuine the same letters are in open work. The facts of both Mr. Memminger and Mr. Orr (we believe) is badly executed, being much lighter than in the genuine.—Mr. Memminger's eyes appear in the counterfeit rather popped instead of sunk on as in the genuine. The date of this counterfeit is September 2, 1861.

Atlanta Intelligencer.

The Riot at Raleigh.

CARD TO THE PUBLIC.

It is our painful duty to announce to our readers and the Public the total destruction of the State Journal office, with its presses, types fixtures, paper and every thing else pertaining to it, except the spirit of the Editor and Proprietor.

I had been absent with my family in Petersburg and Richmond, Va., from Saturday evening last and returned this morning in time to learn that my office had been just entered and destroyed by a number of the followers of the Standard, and amongst them some of the employees of the Progress in this city.

On arriving I learned that on last night a body of soldiers, said to belong to a Georgia regiment, made an assault on the Standard office, and did some injury to the type by scattering it over the floor and pitching a quantity of it into the street. The extent of this injury I have not learned. With this assult on the office of the Standard I had nothing whatever to do, nor do I sympathise with it. I was not in Raleigh when it occurred, and had I been I would have done all in my power to prevent it or arrest it. For this attack, however, my office has been destroyed as above stated. My presses, rarce in number, are ruined; my types will take several weeks to assort and put in working order, if I had cases to put them in, but all my cases are demolished. Everything, in short, is a wreck, and could not now be replaced for twenty-five or thirty thousand dollars. The work of destruction has been skillfully performed. Practical printers led the destroyers, and they knew the vital points in which to strike a printing office.

So far as I can learn no arrests of the parties engaged in this affair have been made. The reason of this may be furnished by the reader. Their names are known. We presume some steps will be taken in this matter. The property of course will be made good by the city, whose citizens destroyed it. The number engaged in destroying the office did not, I learn exceed twenty—most of them boys. The police force of the city, it is thought, might, with the assistance of the law and order portion of the people, have put a stop to the proceedings. Why did they not do it?

The most diabolical feature of this affair was an attempt made to complete the destruction of my office by FIRE. One of the scoundrels engaged in it lighted a bundle of paper and thrust the flame between the building occupied by me and that adjoining—both frame buildings, and apart not more than twelve inches. The flaming paper was withdrawn in time by a bystander. Had the attempt to burn been successful a large portion of the city would undoubtedly have been destroyed.

All that need now to be added is to announce the temporary suspension of the State Journal. I am not yet put down. I am strong in my faith of the ultimate triumph of the cause I have suffered in. The State Journal will be again published as soon as I can procure another press, and that I hope to succeed in the course of a couple of weeks. In the meantime I ask the indulgence of my friends, and I beseech them not to be cast down or discouraged, but to press on firmly and fearlessly. The loss of a press or two, or the loss of a few of the lives who conduct them, cannot affect the cause of the South.

Gov. Vance on hearing of the assault promptly made his appearance and addressed the crowd assembled and succeeded in dispersing them.

I would issue a small daily for my subscribers, but have no press on which to print it.—I will shortly have one.

Respectfully your ob't serv't,

JNO. SPELMAN.

The Raleigh Progress contains the following card from Mr. Holden.

TO MY READERS AND FRIENDS.

On Wednesday night last, about ten o'clock, a body of soldiers belonging to General Beuning's Georgia Brigade, with arms in their hands, and commanded by officers, attacked my office, destroyed a part of its materials, and threw the types into pi. As the result of this I shall be compelled to suspend the publication of Standard for a few days; but I trust I will be able soon to resume publication. No efforts or expense will be spared to serve the paper to you as heretofore.

At the earliest moment practicable I shall put the public in possession of all the facts connected with this outrage. It is sufficient to say, at present, that a free and loyal press has been trampled down—that the State has been insulted—that the majesty of the civil law has been set at defiance, and that an outrage has been committed on my Constitutional rights which has no example, in the language of Gov. Vance who addressed the soldiers, "even in the dominions of Abraham Lincoln." I appeal to my friends to be as calm as possible, and firm and determined; and I hope it is not necessary that I should assure them that I am undismayed, and as firmly as ever determined to maintain at all hazards the right of free speech and a free press.

W. W. HOLDEN.

September 9, 1863.

TREASURY NOTES PASS TO APRIL, 1863.

The last Legislature of Virginia passed a law to prohibit the issues of Confederate Treasury notes prior to April, 1863, from being received in payment of taxes and other dues of the State. Yesterday it was repealed by the House of Delegates passing the Senate bill amending the act imposing taxes for the support of Government, so as to authorize the sheriffs of the Commonwealth to receive all issues of the Confederate Treasury in payment of taxes and public dues. This puts these notes on the same footing as Confederate bills of more recent dates.

Town Ordinance.

THE following Ordinance was passed at a meeting of the Town Commissioners, on the 8th instant:

From and after the 18th day of September no person or persons, shall sell any spirituous liquors within the corporate limits of the town of Salem, in any quantity less than one gallon, without first obtaining license in due form of law.—Penalty one hundred dollars.

J. G. SIDES, Mayor.

CHAS. BLAUCH, Secretary.

Sept. 10-3t.

☞ At the same meeting it was ordered that citizens be required to remove hitching posts from the side-walks, or put up railing to prevent horses from obstructing the sidewalks. By order of the Board of Commissioners.

J. G. SIDES, Mayor.

A BOLD FEAT.

Thirty-nine deserters from a Virginia regiment in Morgan's army, passed through this place last Sunday week, mounted, and armed with Miss[illegible] rifles. They represented themselves as belonging to Williams' Virginia Cavalry, and on that day to that command, and [illegible] succeeded in passing through this place [illegible] Monday, however, suspicion was aroused that all was not right, and Maj. John W. Woodfin with 25 men put off on the track. The deserters it seems went to Alexander & Burnett's, ten miles below here and on the direct road to Tennessee. [illegible] changed their route and struck across the country through Yancey county. This fact Maj. Woodfin learned before starting, and shaped his course accordingly. He pressed after them with his handful of men, riding two entire days and nights without resting, and at daylight on Thursday morning overtook them encamped on Watauga river, in Watauga county, some 80 miles from this place. Some of his men had fallen behind, their horses having broke down under the long and rapid march, so that when he came up with them he had but 18 men. He surrounded their camp almost before they were aware of his presence, and demanded a surrender, which, after some parley, was complied with. He captured 36, two making their escape and one being absent from the camp at the time. When they found they had surrendered to just one half their own number, their mortification was extreme.

Maj. Woodfin returned to this place on Friday evening, when his prisoners were properly cared for, and are, are this, safely lodged at Camp Vance, near Morganton.

Some of the prisoners admitted that all of the horses except three were stolen.

Maj. Woodfin and the gallant men under his command deserve the thanks of every good citizen for this daring achievement. They have returned 36 soldiers to duty and rid the country of a band of *free dealers* in horse flesh.—*Asheville News 24th.*

MARRIED:

In this place, on the 23th inst., by the Rev. F. R. Holland, Mr. SYLVESTER MILLER and Miss EMMA SHAUB of this place.

At the residence of the bride's father, in Cheraw, S. C., on the 9th inst., by the Rev. Joseph M. Bootick, Dr. J. E. Dougherty, Assistant Surgeon, C. S. A., to Miss Dora R., youngest daughter of Gen. D. S. Crosshaw.

At the residence of T. S. Martin, Esq., in Huntsville, on Thursday evening, the 17th instant, by the Rev. S. S. Barber, Col. H. W. HUMPHREY of Onslow county, to Miss IDA M., only daughter of Dr. Henry Clingman of Grand Glaize, Arkansas.

DIED:

In this place, on the 25th ult., NOAH LEWIS, of chronic diarrhea, contracted in the army, aged 31 years.

Near this place, on the 24th ult., Mr. JOHN G. OEHMAN, a native of Weissenstein, Bethonia in Russia, aged 82 years.

In Davie county, on the 28th ult., Mrs. MARY E. HALL, "consort" of John Hall, Esq., aged 45 years.

In Pfafftown, Forsyth county, recently Mrs. M. PFAFF, wife of Peter Pfaff, aged nearly 81 years.

Near Old Town, in this county, on Monday last, the 28th ult., of diptheria, ROBERT A. DAWSON, only child of Wm. P. and C. L. Dawson, aged 3 years, 2 months and 1 day.

His parents had both preceded him to eternity,—his mother a little over 2 years ago, and his father rendered up his life on the field of battle at Gettysburg, Pa., on the 1st of July last.

Kind friends ministered to all his wants, but God in his mercy has called the orphan child to Heaven and reunited, we humbly trust, the little family of whom "Bobby" was one.

Killed, at Gettysburg, on the 1st day of July, 1863, private RANDLE RICHARDSON, of co. G, 2d N. C. Battalion. He was a consistent member of the Methodist church, and always ready to do his duty as a soldier.

New Advertisements.

NOTICE.

I WILL sell at public auction, on the 24th day of October next at Hampton Bynum's plantation, on Townfork, the rent Wheat, Rye, Oats, Fodder and Hay belonging to his estate. Terms made known on day of Sale.

J. W. DAVIS, C. M. E.

Sept. 22, 1863. oct 1-1s

NOTICE

HAVING qualified as Administrator on the estate of Jacob Hanes, deceased, I will sell to the highest bidder, at the late residence of said deceased, on Saturday the 10th day of October next, the following property, to wit: two head of HORSES, some CATTLE and other stock; one Four-horse Wagon, one Carriage and Harness, about eighty bushels of fine WHEAT, a lot of Carpenter's and Blacksmith's Tools, a lot of valuable Books, Farming Utensils of every discription, Household and Kitchen Furniture and many other articles to tedious to mention.

Terms made known on day of Sale.

LEWIS HANES, Adm'r.

Sept. 21, 1863. 2t-3t

State of North Carolina, FORSYTH COUNTY. September Term, 1863.

Thomas M. Hunter, Administrator of Wm. W. Long, deceased, vs. Mahala Long and others, Petition to sell Land to pay debts.

It appearing to the satisfaction of the Court, that three of the defendants, viz: Augustine G. Long, Thomas Long and John Long, are beyond the limits of this State. It is therefore ordered by the Court that publication be made for six weeks in the People's Press, published in Salem, N. C., notifying the said non-residents to be and appear at the next Court of Pleas and Quarter Sessions to be held for the County of Forsyth, at the Court-House in Winston, on the first Monday of December next, that they show cause, if any they have, why the prayer of the petitioner shall not be granted.

Witness, C. L. Banner, Clerk of said Court, office, the first Monday of September, 1863.

C. L. BANNER, C. C. C.

September 24, 1863. 6w

Taken Up,

ON the 8th day of August, by George W. Grimes, living twelve miles North-west of Lexington a bay horse with black mane and tail, the left hind foot white above the hoof blind in the right eye and some marks from harness. He is about 15 or 16 hands high and supposed to be 11 years old and appraised to the value of two hundred and fifty dollars.

C. T. PICKET, Ranger.

Town Ordinance.

THE following Ordinance was passed at a meeting of the Town Commissioners, on the 8th instant:

From and after the 18th day of September no person or persons, shall sell any spirituous liquors within the corporate limits of the town of Salem, in any quantity less than one gallon, without first obtaining license in due form of law.—Penalty one hundred dollars.

J. G. SIDES, Mayor.

CHAS. BLAUCH, Secretary.

Sept. 10-3t.

☞ At the same meeting it was ordered that citizens be required to remove hitching posts from the side-walks, or put up railing to prevent horses from obstructing the sidewalks. By order of the Board of Commissioners.

J. G. SIDES, Mayor.

State of North Carolina, RANDOLPH COUNTY. Fall Term, 1863.

Hamilton Redding and others, Petition for the land of Jacob Cobb dec'd. vs. Hartwell Redding, Malinda Clodfelter and others.

IN this case appearing to the satisfaction of the Court that Elmsind Clodfelter, Jacob Clodfelter, Clodfelter, Jonathan Clodfelter and Philip Clodfelter, defendants in this case reside beyond the limits of this State: It is therefore ordered that publication in the "People's Press," a newspaper published in Salem, N. C., be made for six consecutive weeks, for said defendants to be and appear at the next Term of this Honorable Court, to be held for said County, at the Court House in Lexington, on the first Monday after the 4th Monday of September, 1863, and then and there to plead, answer or demur or said petition will be taken pro confesso as to them and the cause will be heard ex parte as to them.

Witness, [illegible] Clerk of said Court, at office in Lexington, N. C., the 1st Monday after the 4th Monday of September, 1863.

16-6w [illegible]

Wanted for the Soldiers.

200,000 POUNDS (wanted) Blackberries, Apples and Peaches, Peeled and Unpeeled.

We again call on the ladies and little girls to dry all the fruit they possibly can for the Army. Do not be afraid of drying too many; the soldiers will be glad to get all you can dry. Surely the ladies will dry a large quantity, so that their husbands, sons, and friends can have something to eat besides meat and bread.

We also buy BACON.

Bring on everything you can spare, and help to swell we hope to a volume beyond [illegible]

Liberal prices will be paid.

E. L. HEGE, Commissary Agt.

Salem, July 3, 1863. 3m-pd

BY THE GOVERNOR OF NORTH CAROLINA

A PROCLAMATION.

WHEREAS, IT APPEARS TO ME THAT the misconception of our people [illegible] the circumstances of the proclamation of July 10th, intended by proclamation to [illegible] certain articles from the State.

Now, therefore, I, ZEBULON B. VANCE, Governor of North Carolina, do issue this Proclamation, continuing the proclamation of July 10th in force for thirty days from and after the 12th instant, in regard to the exportation of Cotton and Woolen Cloth, Cotton and Woolen Yarns, Leather and Shoes, subject to the exceptions, &c., expressed therein.

In witness whereof, I, ZEBULON B. VANCE, Governor, Captain General and Commander-in-Chief, have signed these presents and caused the Great Seal of the State to be affixed.

Done at the City of Raleigh, this 10th day of August, A. D., 1863, and in the Eighty-Eighth year of our Independence.

By the Governor: Z. B. VANCE.

R. H. BATTLE, Jr., Private Secretary.

August 13-6w.

State of North Carolina, FORSYTH COUNTY.

In Equity, Petition to sell Land.

Christian Reed, Henry Reed, Philip Spangler and wife Christina, and Philip Reed, vs. Thomas Reed and Winfield Hine and wife Catharine.

Affidavit having been made before the Clerk and Master of this Court, that Thomas Reed and Winfield Hine and wife Catharine, the above named defendants are residing beyond the limits of this State: Notice is therefore given that unless the aforesaid petitioners file their petition in said court of Equity, on the 22nd day of August, 1862, praying for a sale of the Lands belonging to their mother, the late Elizabeth Reed, dec'd. Now, unless said defendants shall personally be and appear before said court of Equity to be held for said County at the Court House in Winston, on the 2nd Monday after the 4th Monday in September next, and then and there put in answer or demur to said petition, the same will be taken pro confessed and the cause set for hearing ex parte as to them.

Witness, D. H. Starbuck, Clerk and Master of said court, at office, this 22nd day of August, 1863.

D. H. STARBUCK, C. & M.

Aug. 27. prody. $3

WRITING PAPER AND ENVELOPES.

THE undersigned keeps constantly on hand Writing Paper and Envelopes, which he will sell *Wholesale and Retail.*

The paper is the best made in the Confederacy, is smooth and will not blot.

Orders from a distance, will receive prompt attention.

C. W. KERNER.

Salem, N. C., July 15th, 1863.

Money Lost.

AT THE SALEM STEAM MILL, ON FRIday morning last, I lost a roll of MONEY, containing as near as I can recollect, some or the TEN DOLLAR BILLS Confederate money. A liberal reward will be given for the return of the money to me.

JAMES Y. WHICKER.

Flat Branches, Forsyth Co., N. C.

August 21, 1863. 3t-pd

IRON SUGAR CANE MILL.

I EXPECT to erect at my Home, about one mile south of Salem, a large Iron Mill for grinding Sugar Cane, and could make a few Cane mills, or grind the Cane and toll the Molasses, for all that will bring on as fair and reasonable terms as can be afforded.

JAMES BRINDLE.

Salem, N. C., July 20, 1863.

$50 REWARD!

RANAWAY FROM THE SUBSCRIBER in Surry County, on Tuesday the 18th inst., my negro man ISAAC. He is of a dark copper color, stout, square built, and weighs about 175 pounds, height about 5 feet 8 inches. He was raised in Rockingham county, N. C., near the Court-house, by John Wall, dec'd.

I will give $50 reward for his apprehension so that I can get him again.

Address me at Tom's Creek, P. O., Surry County, N. C.

ELIJAH HIATT.

August 27, 1863. 3t-pd

EXCHANGE NOTICE. NO. 6.

THE Assistant Commissioner of Exchange, Major Mills, since the 15th inst. has [illegible] paroled, have been duly exchanged, and are hereby so declared.

1. The officers and men of Gen. C. L. Stevenson's division.

2. The officers and men of Gen. Pemberton's division.

3. The officers and men of Buckner's division.

4. The officers and men of the 23d Texas legion, and 2d General Preston's old brigade.

5. The officers and men of Wash's battalion.

6. Also all Confederate officers and men who have been captured at City Point at any time previous to July 25th, 1863, and have not been exchanged, and are hereby declared.

ROBERT OULD,

Agent of Exchange.

Southern papers copy six times and send bills to the War Department.

State of North Carolina.

RANDOLPH COUNTY.

Court of Pleas and Quarter Sessions, July Term, 1863.

E. C. Boughton, Adm'r &c. vs. Petition to sell Land. Michael Miller, one of the heirs at law in this suit, is a resident of this State. It is therefore ordered by the Court that publication be made in the People's Press, a newspaper published in the town of Salem, N. C., for six weeks, notifying the said Michael Miller to appear before the Justices of our next Court of Pleas and Quarter Sessions, to be held for the County of Randolph, at the Court-house in Asheboro, on the first Monday in October next, then and there to plead, answer or demur to said petition, or the same will be taken pro confesso as to him, and heard ex parte as to him.

Witness, D. M. Worth, Clerk of our said Court, at office in Asheboro, the first Monday in July, 1863.

D. M. WORTH, C. C. C.

Sept. 3-6w. [illegible]

Confederate War Tax.

[illegible] THE DISTRICTS [illegible] Counties, having returned to me the lists and assessments of taxes [illegible] by law given notice that the lists will remain [illegible] days from this day, during which time I attend at my house to hear all complaints and appeals which tax-payers may make. All persons are required to notify the assessors [illegible] they know of.

[illegible] FLYNT, Collector.

Sept. 15th, 1863. 20-2t.

By the Governor of North Carolina.

A PROCLAMATION.

WHEREAS, a number of public meetings have recently been held in various portions of the State, in some of which threats have been made of combined resistance to the execution of the [illegible] of Congress, imposing taxes in kind, and the collection of taxes, thereby endangering the public peace and tranquility as well as the common cause of independence, which we have so solemnly engaged to defend: And whereas, it is my sworn duty to see all the laws of the land faithfully [illegible] executed within our borders.

Now, therefore, I, ZEBULON B. VANCE, Governor of the State of North Carolina, do issue this my proclamation, admonishing all such persons to renounce such evil intentions, and warning them to beware of the [illegible] and the consequences of carrying such threats into execution.

The inalienable and invaluable right of the people to assemble together and consult for the common good, together with its necessary concomitants, the freedom of speech and the press, are secured to you, my countrymen, by the most sacred [illegible] and no disturbance in [illegible] Yet you will remember that the same instrument which guarantees these great rights restrains you to the exercise of them, within the bounds of law, and imposes upon me the solemn duty to see that these bounds be not transgressed. The Constitution of the Confederate States, and all laws passed in pursuance thereof, are the supreme law of the land; resistance to them by [illegible] in violence and without submission, is origin crime against the laws of your country. Let no one be deceived. So long as these laws [illegible] on his enemy border, they shall be executed. Surely, my countrymen, you would not seek to cure the evils of one revolution by plunging the country into another. You will not knowingly, to the present desolating war with the common enemy, add the horrors of internal strife and anarchy subversion of law and civil authority!—You must not forget the enviable character which you have always maintained, as a sober, conservative and law-abiding people; nor would I have you forget the stern, easy and constitutional method of redressing your grievances. Meet and denounce any existing laws, if you think proper,—[illegible] that right—and instruct your representatives in Congress or the State Legislature, as the case may be, to repeal them. Your own chosen servants made these obnoxious laws—they can repeal them, if such were your instructions. If you regard them as unconstitutional, our Supreme Court sits ready to decide upon all cases properly belonging before it. Its decisions are final in the State of North Carolina, and shall be executed while the power remains in your Executive to enforce any law. The [illegible] grievances to redress and no proposition to be made, but can be most beneficially effected in the way our fathers marked out by the ballot box, and the other constitutionally appointed means. In times of great public sensibility like the present, any departure from this legal channel is revolutionary and dangerous, and tends to the division and distraction of our people.

It is my great desire, and I hope, that of all good citizens, that our people should remain united, hand to hand, as they [illegible] should we triumph in the great struggle for independence, let no feelings of revenge, no bitterness, mar the rejoicing of that glorious day. Should we fail, and come short of the great object for which we have struggled so long and bled so freely, let not our strifes and domestic feuds add to the bitterness of defeat.

Attempts suddenly to change the existing order of things would only result in bloodshed and ruin. I therefore implore you, my countrymen, of all shades of political opinion, to abstain from assembling together for the purpose of denouncing each other, whether at home or in the army, and to avoid seeking any remedy for the evils of the times by other than legal means, and through the properly constituted authorities. We are embarked in the holiest of all causes which can stir the hearts of patriots—the cause of liberty and independence. Where committed to it by every tie that can bind an honorable people. Multitudes of our bravest and best have already sealed it with their blood, while others, giving up all earthly possessions, are either [illegible] in dangers or are homeless wanderers through the land, and all have felt, in a greater or less degree, the iron hand of war. A great and glorious nation is struggling to take [illegible] and distant empires are stilled with listening hope and admiration, watching this greatest of human causes. Let these [illegible] pray you be shocked with the spectacle of domestic strife, and malignant party feuds. Let not our enemy be rejoiced to behold our [illegible] devotion, which have often made him tremble, turned against ourselves. Let us rather show that the God of Liberty in His Holy Temple—the hearts of freemen—can bid all the petty bickerings of earth [illegible] before Him.

Instead of engaging in the unholy and unpatriotic parties and the meetings to resist the laws of the land and endangering the peace of society, let us prosecute diligently and with hopeful heart the [illegible] and sufferings of the coming winter. Heaven has blessed us with abundant crops, but thousands of the poor are unable to purchase. Let us begin in time and use every effort to provide for them and secure them against suffering. And let us exert ourselves to the utmost to return to our [illegible] the many brave and noble men [illegible] in the field. Thus shall we [illegible] to the hosts of darkness, and God will give those [illegible] and our children, and our children's children will thank us for not despairing of the Republic [illegible] darkest hours of disaster, and will more, in adhering to such principles, amid the fiery trials of war, conservative sentiments and the [illegible] and civil [illegible] of the young Confederacy.

In witness whereof, ZEBULON B. VANCE, Governor, Captain General and Commander-in-Chief, have signed these presents and caused the Great Seal of the State to be affixed.

Done at the city of Raleigh, this 7th day of September, A. D. 1863, and in the year of American Independence the 88th.

By the Governor: Z. B. VANCE.

R. H. BATTLE, Jr., Private Sec'y.

Sept. 17. 2t-3t

State of North Carolina, RANDOLPH COUNTY.

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